

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

KPM ANALYTICS NORTH AMERICA  
CORPORATION,

*Plaintiff.*

v.

BLUE SUN SCIENTIFIC, LLC, THE  
INNOVATIVE TECHNOLOGIES GROUP &  
CO., LTD., ARNOLD EILERT, MICHELLE  
GAJEWSKI, ROBERT GAJEWSKI,  
RACHAEL GLENISTER, GREGORY  
ISRAELSON, IRVIN LUCAS, AND PHILIP  
OSSOWSKI,

*Defendants.*

Civil Action No. 21-10572-MRG

**KPM ANALYTICS NORTH AMERICA CORPORATION'S  
PROPOSED VOIR DIRE QUESTIONS**

Pursuant to the Court's April 12, 2023 Order amending pre-trial deadlines (ECF No. 179), Plaintiff KPM Analytics North America Corporation, is submitting its Proposed Questions for Voir Dire. Plaintiff requests the opportunity to supplement the examination by further inquiry or to suggest additional questions for the Court's examination in the event that the response of a prospective juror on voir dire suggests a further area of examination of that juror.

**Knowledge of/Relationship with Parties, Potential Witnesses and Counsel:**

1. Please raise your hand if you or any of your relatives or close friends know or are acquainted with the following companies or any employees who work there:
  - KPM Analytics North America Corporation or its unit known as Unity Scientific, Inc.

- Blue Sun Scientific, LLC
- The Innovative Technologies Group & Co., Ltd

**If yes, how do you know of the company?**

2. Please raise your hand if you or any of your relatives or close friends know or are acquainted with the following individuals:

- Arnold Eilert, who resides in Wauconda, IL
- Robert Gajewski, who resides in North Aurora, IL
- Rachael Glenister, who resides in Colorado Springs, CO
- Irvin Lucas, who resides in North Hollywood, CA

**If yes, how do you know the individual?**

3. Please raise your hand if you or any of your relatives or close friends know or are acquainted with the following law firms or any employees or attorneys who work there:

- Sunstein LLP
- Morse, Barnes-Brown, and Pendleton, P.C.
- Gordon Feinblatt, LLC
- Todd & Weld, LLP
- Seyfarth Shaw LLP

**If yes, how do you know of the law firm?**

4. If you know any of the lawyers representing the parties in this case, or any of their family members, please raise your hand:

- John Gutkoski
- Scott Magee

- Paige Zacharakis
- Kevin Mosier
- George Ritchie
- Royal Craig
- Dawn Mertineit
- Christopher O'Hara
- Maria Davis
- William Prickett
- Dallin Wilson
- Lauren Lake

**If yes, how do you know the attorney?**

5. Please raise your hand if you are acquainted with any of the following persons who are expected to testify in this case:

- William Brown, who resides in Pleasant Prairie, WI
- Brian Davies, who resides in Somerville, MA
- Arnold Eilert, who resides in Wauconda, IL
- Douglas Evans, who resides in Reston, MD.
- Luigi Faustini who resides in \_\_\_\_\_.<sup>1</sup>
- Robert Gajewski, who resides in North Aurora, IL
- Michelle Gajewski, who resides in North Aurora, IL
- Ronald Geis, who resides in Londonderry, NH

---

<sup>1</sup> Mr. Faustini's residence is not presently known to KPM.

- Rachel Glenister, who resides in Colorado Springs, CO
- William Kennedy, who resides in Wellesley, MA
- Irvin Lucas, who resides in North Hollywood, CA
- Christopher McIntire, who resides in Danvers, MA
- Brian J. Mitchell, who resides in Rye, NH
- Eric Olson, who resides in Phillipston, MA
- Carey Ross, who resides in Dover, NH
- Robert A. Schumann, Jr., who resides in Walton, KY
- Michael Smith, who resides in Sterling, MA
- Eric Weinstein, who resides in \_\_\_\_.<sup>2</sup>
- Robert Wilt, who resides in Jessup, MD
- Yuegang Zhao, who resides in Andover, MA
- Neil Zoltowski, who resides in Duxbury, MA

**If yes, how do you know the witness?**

**Background:**

1. Do any of you know each other as friends or co-workers?
2. Please raise your hand if your highest level of formal education is:
  - a. Graduate or professional degree;
  - b. Some education after college;
  - c. College degree;
  - d. Some college education, but no degree;

---

<sup>2</sup> Mr. Weinstein's residence is not presently known to KPM.

- e. Vocational or technical degree;
- f. High school diploma;
- g. High school, but no diploma.

3. Please raise your hand if you have any educational or work experience in the following fields:

- a. Spectroscopy;
- b. Optics;
- c. Software engineering or coding;
- d. Chemistry;
- e. Physics;

4. Do you or does anyone in your family have a law degree?

5. Are you or is anyone in your family in law school?

6. Do you or does someone close to you have any personal familiarity with patents, copyrights, trade secrets or other types of intellectual property?

7. Have you or any of your immediate family or close friends ever invented anything or applied for or been granted a patent?

8. Have you ever owned or run a business?

**Experience as Juror/Plaintiff/Defendant:**

1. Have you (or has anyone close to you) ever been a plaintiff or defendant in a lawsuit?
2. Have you (or has anyone close to you) ever been a witness in a lawsuit?

3. Have you, or any relatives or close friends, ever sued someone or been sued by someone?
4. Have you ever served on a jury? If so, what kind of case? Civil or criminal?
  - a. Without telling us what the verdict was, were you and your fellow jurors able to reach a verdict?

**Potential Bias/Case Specific:**

1. Do you think an employer should have the right to prevent employees from sharing confidential information after they leave the job? If not, please explain.
2. Have you ever had a contract with an employer that required you to do or not do certain things after your employment terminated? If yes, please explain.
3. Have you or any of your immediate family or close friends been subject to a non-compete or non-disclosure agreement? If yes, please explain.
4. Have you or any of your immediate family or close friends ever been accused of violating a non-compete or non-disclosure agreement or any other contract? If yes, please explain.
5. Have you or any of your immediate family or close friends ever been accused of taking or using trade secrets or confidential information from a company without permission? If yes, please explain.
6. Have you or any of your family members ever been involved in a lawsuit with someone you or they worked for? If yes, please explain.
7. Have you or any of your family members ever worked as a security officer or in a role protecting property or information? If yes, please explain.

8. Do you have any health problems that would affect your ability to hear or see or concentrate on the testimony, exhibits, arguments of counsel, or instructions of the Court?
9. This trial will involve technology and technical terms. Will you be uncomfortable understanding this type of evidence or making decisions based on this type of evidence?
10. Do you know of any other reason why you could not be a fair and impartial juror in this case?

**Date:** April 25, 2023

Respectfully submitted,

**KPM ANALYTICS NORTH AMERICA  
CORPORATION**

By its attorneys,

/s/ John T. Gutkoski

John T. Gutkoski (BBO# 567182)

Kevin R. Mosier (BBO# 703739)

SUNSTEIN LLP

100 High Street

Boston, MA 02110

Tel: (617) 443-9292

[jgutkoski@sunsteinlaw.com](mailto:jgutkoski@sunsteinlaw.com)

[kmosier@sunsteinlaw.com](mailto:kmosier@sunsteinlaw.com)

Scott R. Magee (BBO# 664067)

Paige K. Zacharakis (BBO# 699108)

MORSE, BARNES-BROWN, AND PENDLETON, P.C.

480 Totten Pond Road, 4th Floor

Waltham, MA 02451

Tel: (781) 622-5930

[smagee@morse.law](mailto:smagee@morse.law)

[pzacharakis@morse.law](mailto:pzacharakis@morse.law)

**CERTIFICATE OF SERVICE**

I hereby certify that on this 25th day of April 2023, a true and exact copy of the foregoing was served on all counsel of record through the Court's ECF system.

/s/ Kevin R. Mosier